IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.115 OF 2007

Shri John Philip Pereira,
major, r/o House No.520,
Mazil Vaddo, Nagoa,
Salcete Goa. Petitioner

V/s

1. State of Goa,
   Through its Chief Secretary,
   Secretariat, Porvorim, Goa.

2. The Estate Officer,
   Directorate of Health Services,
   Government of Goa,
   Campal, Panaji Goa.

3. The Directorate of Health Services,
   Government of Goa,
   Campal, Panaji Goa.

4. The Deputy Collector,
   with office at Collectorate Bldg.,
   Panaji – Goa.

5. Village Panchayat of Goa Velha,
   Through its Sarpanch,
   Goa Velha Goa.

6. Mrs. Sebastian Mendes,
   widow of late Sebastiao Gracias,
   Major, housewife, r/o Sun City,
   Uddy, Goa Velha Goa.

7. Shri Tonny Gracias,
   Son of late Sebastiao Gracias,
   major in age, married,
   r/o Sun City,
   Uddy, Goa Velha Goa.

8. Maria Perpetua Araujo e Gracias,
Daughter of late Sebastiao Gracias,
Spinster, major in age,
r/o Sun City,
Uddy, Goa Velha Goa.

9. Mary Bertha Gracias,
Daughter of late Sebastiao Gracias,
Spinster, major in age,
r/o Sun City,
Uddy, Goa Velha Goa.

10. Bernadette Fernandes,
Daughter of late Sebastiao Gracias,
Spinster, major in age,
r/o Sun City,
Uddy, Goa Velha Goa.\

11. Michael Sebastiao Fernandes,
Son in law of late Sebastiao Gracias,
major in age,
Aivao, Caranzalem Ilhas Goa.

12. Martha D'Souza,
Daughter of late Sebastiao Gracias,
Major in age, married,
r/o Morgado, Goa Velha Goa.

13. Teodosio D'Souza,
son in law of late Sebastiao Gracias,
Major in age, married,
r/o Morgado Goa Velha.

14. Leena Rebeiro,
Daughter of late Sebastiao Gracias,
Major in age, married,
Residing at St. Cruz, Ilhas Goa.

15. Augusto Rebeiro,
Son in law of late Sebastiao Gracias,
Residing at St. Cruz, Ilhas Goa. Respondents

Ms. A. Agni, Advocate for the Petitioner.

Ms. Winnie Coutinho, Government Advocate for the Respondents 1 to 4.

Mr. M. B. D'Costa, Senior Advocate with Mr. J. A. Lobo, Advocate for Respondent Nos.6, 7 and 8.

Coram:-S.A.BOBDE &
N.A. BRITTO,JJ

Date:- 20th June, 2007

ORAL JUDGMENT (Per BOBDE, J.)

Rule, returnable forthwith

The respondents have filed an affidavit of one Garima Gupta, Dy. Collector and S.D.O., Panaji. She has stated in paragraph 7 as follows:-

> "I say that considering the fact that the lease agreement dated 13/6/1968 is on record and was granted in favour of Respondent no.6. The said document will be examined and action will be taken accordingly.

The statement is accepted and in view of the statement, the learned Counsel for the Petitioner does not press the petition any further. We direct that the examination and action shall be taken within three months.

Rule disposed of.

S. A. BOBDE, J.

N. A. BRITTO, J.

rp.